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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,853	08/04/2000	Theodore Rappaport	0256033AA	2273
30743	7590	07/26/2005	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			ORTIZ RODRIGUEZ, CARLOS R	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 09/632,853	<b>Applicant(s)</b> RAPPAPORT ET AL.	
	<b>Examiner</b> Carlos Ortiz-Rodriguez	<b>Art Unit</b> 2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 5/11/05 have been fully considered but they are not persuasive. Applicant's arguments state that claim 1 has been amended to require that the same computer program (i.e., "said computer program") is used for the steps of providing a computerized model, providing attributes for a plurality of system components, selecting specific components, and representing the selected components. Although, applicant states that there are advantages of having a single platform, applicant fails to claim specific essential steps or elements that would clearly specify that the invention is one single computerized platform and more importantly how these specific steps or elements interconnect/interact in order for the single computerized platform to function as a single computerized platform. It should be noted that it is known in this art that an operating system (OS) is the computer program that manages all the other programs on a machine.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-4, 6, 9-10 and 12-15, 17, and 20-21 rejected under 35 U.S.C. 102(a) as being anticipated by "EAC-50 Repeater System for In-Building Coverage", Installation and Operation Manual, Allen Telecom Company, 2000 (Referred to as EAC-50).

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Regarding claim 1, 4, 5, 7, 8, 11, 12, 15, 16, 18, 19, 22-24, 27, 29, 30-32, 35, 37, 40, 41, 43, 44, 46, 47, 49, 50, 52, 53 and 55 EAC-50 discloses a computer implemented method for designing or deploying a wireless communications network, comprising the steps of: providing a computerized model which represents a physical environment in which a communications network is or will be installed, said computerized model providing a display of at least a portion of said physical environment (see for example the computerized model of the building that appears in Figure 1); providing attributes for a plurality of system components which may be used in said physical environment (see for example donor antennas and coverage antennas disclosed in pages 14-15 and also see "Parts List" disclosed in page 12); selecting specific components from said plurality of system components for use in said computerized model (The section of "Antenna Options" provides various components (antennas) for a customer to select. The computerized model of Figure 1 for example, demonstrates the selection of the ASP-998 and the ASP-3561 antennas); representing said selected specific components in said display (see for example Figure 1) and if said attributes of said system components will prevent the proper installation or operation of a communications network formed from said selected specific components, providing an indication of a fault in one or more design parameters of said communications network (see for example, "Action/Solution Required on BDA Status/Alarms"). The method further generating a bill of materials containing cost information for said selected specific components utilized in said communications network and the steps wherein faults occurs when cost limits are exceeded, when a brand choice is not selected in said selecting step and when there are mismatches in the maintenance schedules of said selected specific components is inherent to EAC-50.

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Regarding claims 2, 13, 25, 38 and 48 the method wherein said attributes include performance attributes and further comprising the step of running prediction models using the computerized model and said performance attributes to predict performance characteristics of a communications network composed of said selected specific components if said attributes of said system components do not prevent the proper installation or operation of said communications network is inherent to EAC-50, see for example page 5 and page 7.

Regarding claim 3, 14, 26, 34 and 39 discloses the method wherein said attributes include frequency dependent characteristics of said selected components and said prediction models utilize said frequency dependent characteristics in calculations which predict said performance characteristics of said communications network (see for example page 7 sections regarding "Radial Distance from Interior Antenna").

Regarding claim 4, 15, 35, 40 and 49 the method further comprising the step of generating a bill of materials containing cost information for said selected specific components utilized in said communications network is inherent to EAC-50.

Regarding claim 6, 17, 28, 36, 42, and 51 EAC-50 discloses the method wherein said display is three dimensional (see Figure 1).

Regarding claim 9-10, 20-21, 45 and 54 EAC-50 discloses the method wherein said fault results from improper connections between two or more of said selected specific components

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(see for example section “ Action/Solution Required on BDA Status /Alarms”, distance between components is too close).

### *Conclusion*

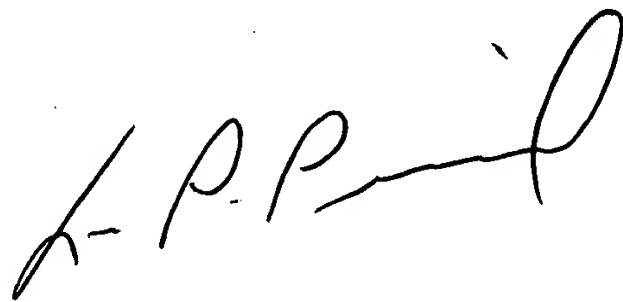
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (571) 272-3747. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (703)308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'C. Ortiz-Rodriguez', with a stylized flourish at the end.

Carlos Ortiz-Rodriguez

Patent Examiner

Art Unit 2125

cror

July 25, 2005

**LEO PICARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**